

**REMARKS**

Claims 70-98 are pending in this application.

Claims 70, 73, 78 and 94 have been amended by the present Amendment. Amended claims 70, 73, 78 and 94 do not introduce any new subject matter.

**REJECTIONS UNDER 35 U.S.C. § 102 and § 103**

Reconsideration is respectfully requested of the rejection of claims 70-71 and 94-95 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,600,273 ("Ohno").

Reconsideration is also respectfully requested of the rejection of claims 72-90 and 93 under 35 U.S.C. § 103(a) as being unpatentable over Ohno as applied to claims 70-71 and 94-95.

Applicants respectfully submit that Ohno does not disclose or suggest the conductor of the common voltage applying member that is insulated from the pixel electrodes, as recited in claims 70 and 94.

For example, Applicants' disclosure shows a conductor 390 of a common voltage applying member 300 that is insulated from pixel electrodes 129 formed over a substrate 100. See, e.g., Applicants' disclosure, Fig. 1. Further, Applicants' disclosure shows a conductor 129a insulated from pixel electrodes 129. See, e.g., Applicants' disclosure, Fig. 16; page 22, lines 16-20.

In contrast to the claimed embodiments, the conductive particle 109 disclosed in Ohno is disposed and electrically connected to both electrodes 104 and 105. Indeed, the purpose of the conductive particle is to electrically connect the upper and lower

electrodes. See Ohno, Abstract, and col. 1, lines 15-17 (stating that the common electrode is in electrical contact with the electrodes of each substrate). Accordingly, Ohno does not disclose the claimed common voltage applying member having the conductor insulated from the pixel electrodes, as recited in claims 70 and 94.

Further, there is no motivation to modify Ohno to have same, since such a modification would be directly contrary to the purpose of the Ohno device, and would render the Ohno device unsatisfactory for its intended purpose of electrically connecting the upper and lower electrodes of a display panel. See M.P.E.P. § 2143.01 (stating that "[i]f [a] proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.") (citing *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)).

Therefore, Applicants respectfully submit that claims 70 and 94 are not anticipated by and are patentable over Ohno. In addition, for at least the reason that claims 71-90 and 93 depend from claim 70, and claim 95 depends from claim 94, claims 71-90, 93 and 95 are also not anticipated by and patentable over the cited reference.

Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 70-71 and 94-95 under 35 U.S.C. § 102(b) and the rejection of claims 72-90 and 93 under 35 U.S.C. § 103(a).

**ALLOWABLE SUBJECT MATTER**

Applicants gratefully acknowledge the Examiner's indication that claim 98 is allowed.

Applicants gratefully acknowledge the Examiner's indication that claims 91-92 and 96-97 would be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims, and reserve the right to rewrite claims 91-92 and 96-97 in independent form in a subsequent response or communication.

**DEPENDENT CLAIMS**

Applicants have not independently addressed the rejections of all the dependent claims because Applicants submit that for at least similar reasons as why the independent claims from which the dependent claims depend are believed allowable as discussed, supra, the dependent claims are also allowable. Applicants, however, reserve the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicants' Attorney to reach a prompt disposition of this application.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael F. Morano", is written over a horizontal line.

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